



# City Council Agenda

Council President  
**Henry Perea**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun**  
**Brad Castillo**, Acting President

**Jerry Duncan**  
**Sal Quintero**  
**Daniel Ronquillo**

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, FEBRUARY 26, 2002**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

## **8:30 A.M. ROLL CALL**

Invocation by Pastor Scott Borman of New Covenant Community Church

Pledge of Allegiance to the Flag

Proclamation of "RETIRED RESERVE CAPTAIN CARL MITCHELL DAY" - Mayor and Councilmembers

Proclamation of "WOMEN IN CONSTRUCTION WEEK" - Councilmember Boyajian

Resolution of Commendation to Fleet Management Division for receiving the Automotive Service Excellence (ASE) Blue Seal of Excellence - Councilmember Quintero

Resolution of Commendation to “BOBBY R. WILLINGHAM” - Councilmember Duncan

Recognition of Edison High School Academic Decathlon Winners - Councilmember Ronquillo and Mayor Autry

Presentation of Student of the Quarter Awards - Council President Perea

Presentation by the Department of Public Utilities Employee FunRaiser Committee donation to Police Activities League (P.A.L.)

### **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of February 12, 2002

**Action Taken:**

- A. Provide report to and receive direction from Agency Board regarding current policy and practice in using Public Works staff or outside firms for construction management of Agency public works projects

**Action Taken:**

### **ADJOURN AGENCY**

**COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve Council minutes of February 12, 2002

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS**

**9:00 A.M.** Appearance by Mary Savala of the League of Women Voters of Fresno to discuss allocation of funds to social service agencies in the next City budget process

**Action Taken:**

**9:30 A.M.** Consider continuation of Resolution No. 2001-337, which proclaimed a local emergency in and around the Fresno Yosemite International Airport based upon the threat of enemy attack or sabotage - City Manager's Office

- a. **RESOLUTION** - Continuing Resolution No. 2001-337, which proclaimed a local emergency in and around the Fresno Yosemite International Airport, based upon continuing existence of facts and circumstances of the threat of enemy attack or sabotage

**Action Taken:**

**9:35 A.M.** Discussion regarding traffic control devices - Public Works Dept./Traffic Div.

**Action Taken:**

**10:00 A.M.** **HEARING** regarding the vacation of portions of "F" Street and "E" and "F" alley southeasterly from Santa Clara Street - R.I. 1026-D

- a. **RESOLUTION** - Ordering the vacation of the remaining portions of "F" Street and the "E-F" alley southeasterly from Santa Clara Street

**Action Taken:**

**10:15 A.M.** **HEARING** to consider Plan Amendment No. A-01-28, and Rezoning Application No. R-01-48, and environmental findings, filed by Cambridge Homes, for 14.98 acres located on the west side of North Willow Avenue, between East Shepherd and East Perrin Avenues (***Project located in District 6***)

**Action Taken:**

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-01-28, R-01-48, T-5048

**Action Taken:**

- b. **RESOLUTION** - Amending the Woodward Park Community Plan

**Action Taken:**

- c. **BILL** - Amending the Official Zone Map to rezone property from AL-20 (County) to R-1-/UGM (Single Family Residential/Urban Growth Management)

**Action Taken:**

## TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

**10:30 A.M. CONTINUED HEARING** to consider Rezone Application No. R-01-42 and environmental findings, filed by American Campus - Titan LLC, for 4.84 acres located on the northeast corner of E. Barstow Avenue and N. Tenth Street, west of N. Cedar Avenue (1680 E. Barstow Avenue) (*Project located in District 4*)

**Action Taken:**

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. R-01-42

**Action Taken:**

- b. **BILL** - Amending the Official Zone Map to rezone property from R-1-C zone district to the R-3/UGM zone district

**Action Taken:**

**10:45 A.M. HEARING** to consider Conditional Use Permit Application No. C-01-098, requesting authorization to construct a six-story parking garage and installation of three phosphoric acid fuel cell generators. The site is zoned C-4 (Central Trading District), filed by Mauldin-Dorfmeier Construction Inc., c/o AB Parking Facilities, LLC, located on the northeast corner of Broadway Plaza and Mariposa Mall (*Project located in District 3*) - Development Dept.

**Action Taken:**

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. C-01-98

**Action Taken:**

- b. Consider and adopt Conditional Use Permit Application No. C-01-98

**Action Taken:**

- c. **RESOLUTION** - Approving Conditional Use Permit Application No. C-01-098

**Action Taken:**

**11:00 A.M. HEARING** to consider Plan Amendment. No. A-01-07, Rezoning Application No. R-01-09, and environmental findings, filed by Aluisi Development, for 35.38 acres of property located on the southeast corner of East Copper Avenue and the North Cedar Avenue alignment (*Project located in District 6*) - Development Dept.

**Action Taken:**

- a. Consider and adopt a Mitigated Negative Declaration for Environmental Assessment No. A-01-07/R-01-09/T-5010

**Action Taken:**

- b. **RESOLUTION** - Amending the Woodward Park Community Plan

**Action Taken:**

- c. **BILL** - Amending the Official Zone Map to rezone property from AL-20 (County) to R-1/UGM (Single Family Residential/Urban Growth Management)

**Action Taken:**

**11:15 A.M.** Presentation by the Huntington Boulevard Homeowners Historical Association on plans to erect an entrance monument designating "Huntington Boulevard" on First Street and Cedar Avenue - Councilmember Quintero

**Action Taken:**

## TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

**11:30 A.M.** Approve an amendment to the existing agreement with Sunset Waste Paper, Inc, to provide processing services for recyclable materials - Dept. Pub. Utilities

**Action Taken:**

**2:00 P.M. #1** **CONTESTED CONSENT CALENDAR**

**2:00 P.M. #2** **CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

- 1. Case Name:** Patel, et al. v. City of Fresno, et al.
- 2. Case Name:** Family Alliance for the Mentally Ill v. City of Fresno, et al.
- 3. Case Name:** City of Fresno v. County of Fresno, LAFCO and City of Clovis

**Action Taken:**

## SPECIAL JOINT CLOSED SESSION WITH THE FRESNO RECREATIONAL FACILITIES FINANCING AUTHORITY AND REDEVELOPMENT AGENCY - ROOM 2125

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9 Subdivision (b)(2)

- 1. Case Name:** Fresno Recreational Facilities Financing Authority and City of Fresno ("City") v. Peter Stravinski, et al.(Palm Lakes Golf Course)

**Action Taken:**

**2:30 P.M.** **HEARING** to consider Variance Application No. V-01-039 to modify landscape setback requirements, filed by Shehadey and Shehadey for property located at 406 "H" Street (*Project located in District 3*)-Development Dept.

- a.** Deny Variance and consider alternate 5-foot landscaped setback along "H" Street

**Action Taken:**

**5:00 P.M.** Appearance by Farid Assemi, representing Copper River Ranch, LLC, requesting Council to consider and vote on allowing a separate "Tax-Sharing" Agreement between the City and County of Fresno for the "Copper River Ranch" project area

**Action Taken:**

- a. RESOLUTION** - Joint Resolution between the County of Fresno and the City of Fresno

**Action Taken:**

1. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

- A. Approve appointment of Augie Caldera to the Fresno-Madera Agency on Aging Board of Directors - Mayor Autry  
**Action Taken:**
- B. **RESOLUTION** - Authorizing the Transit General Manager to execute an agreement with the California Energy Commission (CEC) and the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) for alternative fuel infrastructure funds - Dept. of Transp./FAX  
**Action Taken:**
- C. Award a requirements contract for energy efficient water well motors - Public Works Dept.  
**Action Taken:**
- D. Award a contract for one (1) new 38-foot fifth-wheel police mobile command trailer - General Services Dept.  
**Action Taken:**
- E. Award a contract for three (3) new class 7 truck-mounted broom-type street sweepers - General Services Dept.  
**Action Taken:**
- F. Award a requirements contract for vehicular traffic signal equipment - Public Works Dept.  
**Action Taken:**
- G. Award a contract for elevator upgrade and modernization of parking garages nos. 4, 7, 8 and 9 - Public Works Dept.  
**Action Taken:**
- H. **RESOLUTION** - Of intention to annex Parcel Tract Nos. 4868, 4933 and 5014 to the City of Fresno Community Facilities District No. 2, Annexation No. 34 - Public Works Dept./Engineering Div.  
**Action Taken:**
- I. **RESOLUTION** - Of intention to establish Community Facilities District No. 6 and to authorize special taxes, and approving local goals and policies pertaining to Community Facilities Districts - Public Works Dept./Engineering Div.  
**Action Taken:**
- J. **RESOLUTION** - Authorizing submittal of grant application to the State Office of Historic Preservation, under the California Heritage Fund Grant Program to purchase the BNSF Depot and freight station - Public Works Dept./Cap. Mgmt  
**Action Taken:**

## **GENERAL CONSENT CALENDAR CONTINUED**

- K. RESOLUTION** - Adopt bond resolution to allow reimbursement to Public Works for initial effects on the construction of a new parking structure at the Convention Center - Public Works Dept./Cap. Mgmt  
**Action Taken:**
- L.** Approve agreement with URS Corporation Americas for professional environmental planning services for various road improvement projects (10 TEA 21 - Cycle 2 Projects) - Public Works Dept./Cap. Mgmt  
**Action Taken:**
- M.** Approve agreement with URS Corporation Americas for professional engineering services for the design of plans and construction documents for Peach Avenue - Belmont Avenue to Butler Avenue Widening Project - Public Works Dept./Cap. Mgmt.  
**Action Taken:**
- N.** Authorize the Chief of Police to enter into and execute an agreement with The United Way of Fresno County  
**a. \* RESOLUTION** - Authorizing 65<sup>th</sup> amendment to the AAR Resolution No. 2001-200 by appropriating \$100,000 for the weed and seed program (***Requires 5 affirmative votes***)  
**Action Taken:**
- O.** Authorize the Chief of Police to renew an agreement with the Housing Authorities of the City and County of Fresno to receive \$145,000 to continue the Evict Narcotics from Public Housing Program  
**Action Taken:**

### **2. CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

### **3. GENERAL ADMINISTRATION**

- A.** Authorize the execution of amendments to agreements with Kochegen Farms and Sunset Waste Paper, Inc., for green waste transportation and processing services - Dept. of Pub. Utilities  
**Action Taken:**
- B.** Approve option and purchase agreement submitted by Landwest, LLC for City Properties at 1615 El Dorado - Public Works Dept./Engineering Div.  
**Action Taken:**

### **4. CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Request City Attorney to draft an ordinance that will allow the City to control the unsafe conditions of cars for sale on City streets - Councilmember Duncan  
**Action Taken:**
- B. Installation of stop signs that do not meet warrants. (Request is for immediate streets behind Sequoia Middle School) - Councilmember Quintero
1. Installation of 1 stop sign located on Braly Avenue for eastbound traffic at 9<sup>th</sup> Street  
**Action Taken:**
  2. Installation of 2 stop signs on 9<sup>th</sup> Street for north and south bound traffic at Woodward Ave.  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

Mar. 5 -

Mar. 12 - 9:00 A.M. Mayor's 2010 Plan presentation

Mar. 12 - 10:30 A.M. Alcohol Conditional Use Permit No. C-01-163 - Council President Perea

Mar. 19 - 10:00 A.M. **HEARING** re: weed abatement

Mar. 19 - 5:00 P.M. **HEARING** re: R-01-33, CUP No. C-01-117, filed by Ellis Enterprises, property located on the northeast corner of E. Shepherd and E. Champlain

Mar. 26 - 10:00 A.M. **HEARING** re: R-01-049, filed by Jerry A. Markarian

Apr. 2 - **NO MEETING - EASTER WEEK**

Apr. 9 - 10:00 A.M. **HEARING** re: CFD No. 2, Annexation No. 34, Tracts 4933 and 5014

Apr. 9 - 10:15 A.M. **HEARING** re: the formation of CFD No. 6

Apr. 23 - 10:00 A.M. Presentation of Employee Service Awards (*Reception immediately following - 2<sup>nd</sup> floor foyer*)